

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Docket: RODDENBERY2

In re Application of:)	Confirmation No.:
Ed RODDENBERY et al)	
)	Art Unit:
)	
Appln. No.: Not Yet Assigned)	Examiner:
)	
Filed: January 29, 2004)	Washington, D.C.
)	
For: ACTIVE AGENT DELIVERY...)	January 29, 2004
)	
)	

INFORMATION DISCLOSURE STATEMENT [IDS]

Honorable Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, Mail Stop DD
Crystal Plaza Two, Lobby, Room 1B03
Arlington, Virginia 22202

Sir :

This Information Disclosure Statement is submitted in accordance with 37 CFR §§1.97, 1.98, and it is requested that the information set forth in this statement and in the listed documents be considered during the pendency of the above-identified application, and any other application relying on the filing date of the above-identified application or cross-referencing it as a related application.

1. This IDS should be considered, in accordance with 37 CFR §1.97, as it is filed:

(Check one of the boxes A-D)

[X] A. within three months of the filing date of the above-identified national application or within three months of

the entry into the national stage of the above-identified international application.

☒ B. before the mailing date of a first Office action on the merits or before the mailing of a first Office action after the filing of a Request for Continued Examination under 37 C.F.R. §1.114.

☐ C. after (A) and (B) above, but before final rejection or allowance, and Applicants have made the necessary certification (box "i" below) or paid the necessary fee (box "ii" below).

(Check one of the boxes "i" and "ii" below:)

☐ i. Counsel certifies that, upon information and belief, each item of information listed herein was either

☐ (a) first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS; or

☐ (b) not cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of undersigned after making reasonable inquiry, was not known to any individual designated in §1.56(c) more than three months prior to the filing of this IDS.

(use one and delete other of following)

☐ ii. A check (check no. _____) for the fee set forth in §1.17(p), presently believed to be \$180, is enclosed. If the enclosed payment is incorrect, please charge any additional fees or credit any overpayment to Deposit Account No. 02-4035.

☐ ii. Credit Card Payment Form, PTO-2038, is attached authorizing payment of the fee set forth in \$1.17(p), presently believed to be \$180. If the enclosed payment is incorrect, please charge any additional fees or credit any overpayment to Deposit Account No. 02-4035.

☐ D. after (A), (B) and (C) above, but before payment of the issue fee: Applicant(s) state as follows under 37 CFR \$1.97(e) for consideration of this IDS, that, upon information and belief, each item of information listed herein was either

(Check one of the boxes "a" and "b" below)

☐ (a) first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS; or

☐ (b) was not cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, was not known to any individual designated in \$1.56(c) more than three months prior to the filing of this IDS.

(use one and delete other of following and this note) A check (check no. _____) for/ Credit Card Payment Form, PTO-2038, is attached authorizing payment of the fee set forth in \$1.17(p), presently believed to be \$180 is enclosed. If the enclosed payment is incorrect, please charge any additional fees or credit any overpayment to Deposit Account No. 02-4035.

2. In accordance with 37 CFR §1.98, this IDS includes a list (e.g., Form PTO/SB/08A) of all patents, publications, or other information submitted for consideration by the office, either incorporated into this IDS or as an attachment hereto. A copy of each document listed is attached, except as explained below.

(check boxes A, B and/or C and fill in blanks, if appropriate)

☐ A. Document(s) _____ is (are) deemed substantially cumulative to document(s) _____, and, in accordance with §1.98(c), only a copy of each of the latter documents is enclosed.

☐ B. Certain documents were previously cited by or submitted to the Office in the following prior application(s), which are relied upon under 35 U.S.C. 120:

(insert serial numbers and filing dates of prior applications)

Applicant(s) identifies these documents by attaching hereto copies of the forms PTO-892 and PTO-1449 (or PTO/SB/08A) from the files of the prior application(s) or a fresh PTO-1449 (or PTO/SB/08A) listing these documents, and request that they be considered and made of record in accordance with §1.98(d). Per 37 CFR §1.98(d), copies of these documents need not be filed in this application.

☒ C. Document(s) AA-AR is (are) U.S. patent(s) and/or published application(s). As this is a U.S. application filed after June 30, 2003, or an entry into national stage under 35 USC §371 after June 30, 2003, the requirement to file copies of such U.S. patents or published applications has been waived. (Office of Patent Legal Administration - Pre O.G. Notice of July 11, 2003).

3. Document(s) _____ is (are) not in the English language. In accordance with §1.98(c), Applicant(s) states:

☐ An English translation of each document _____ (or of the pertinent portions thereof), or a copy of each corresponding English-language patent or application, or English-language abstract (or claim) is enclosed.

☐ A concise explanation of the relevance of document(s) _____ is found in the attached _____ search report (see reply to Comment 68 in the preamble to the final rules; 1135 OG 13 at 20).

☐ A concise explanation of the relevance of document(s) _____ is set forth as follows:

(insert concise explanation of relevance)

☐ A concise explanation of the relevance of document(s) _____ can be found on page(s) _____ of the specification.

☐ A concise explanation of document(s) _____ can be found on the attached sheet.

4. No explanation of relevance is necessary for documents in the English language (see reply to Comments 67 and 68 in the preamble to the final rules; 1135 OG 13 at 20).

5. Other information being provided for the examiner's consideration follows:

(insert other information)

6. In accordance with 37 CFR §§1.97(g) and (h), the filing of this IDS should not be construed as a representation that a search has been made or that information cited is, or is considered to be, material to patentability as defined in §1.56

(b), or that any cited document listed or attached is (or constitutes) prior art. Unless otherwise indicated, the date of publication indicated for an item is taken from the face of the item and Applicant(s) reserves the right to prove that the date of publication is in fact different.

Respectfully submitted,

BROWDY AND NEIMARK
Attorneys for Applicant(s)

By: 

Anne M. Kornbau
Reg. No. 25,884

AMK:jl
624 Ninth Street, N.W., Suite 300
Washington, D.C. 20001-5303
Telephone: (202)628-5197
Facsimile: (202)737-3528
G:\BN\R\Rodd\Roddenbery2\pto\IDS.doc

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 1

Complete if Known

Application Number	Not Yet Assigned
Filing Date	January 29, 2004
First Named Inventor	Ed RODDENBERY
Group Art Unit	
Examiner Name	
Attorney Docket Number	RODDENBERY2

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	AA	US-5990057	11/23/1999	Barbara W. SHARP	
	AB	US-6093224	07/25/2000	Gary T. JONES	
	AC	US-6379405	04/30/2002	METEOR LITE CORPORATION	
	AD	US-65508849	01/21/2003	LA CORDE DE BOIS INC.	
	AE	US-6199546	03/13/2001	William E. FREEMON	
	AF	US-6136053	10/24/2000	Colin SULLIVAN	
	AG	US-4334931	06/15/1982	NIPPON ASBESTOS CO., LTD.	
	AH	US-4144121	03/13/1979	NIPPON ASBESTOS CO., LTD.	
	AI	US-42998386	11/03/1981	KABUSHIKI KAISHA OSAKA PACKING	
	AJ	US-5032549	07/16/1991	EFFEM GMBH	
	AK	US-5858384	01/12/1999	LEE COUNTY MOSQUITO CONTROL	
	AL	US-5573984	11/12/1996	SCHOTT GLASWERKE	
	AM	US-6245733	06/12/2001	James MOSBAUGH	
	AN	US-4788164	11/29/1988	HOECHST CELANESE CORPORATION	
	AO	US-4020156	04/26/1977	NORDA INCORPORATED	
	AP	US-5035886	07/03/1991	PPG INDUSTRIES, INC.	
	AQ	US-4162924	07/31/1979	KABUSHIKI KAISHA OSAKA PACKING	
	AR	US-4647499	03/03/1987	KABUSHIKI KAISHA OSAKA PACKING	

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
	AS	Xonotlite. [online]. [retrieved on 2003-10-30]. Retrieved from the Internet: <URL: http://euromin.w3sites.net/mineraux/XONOTLITE.html >.	
	AT	Xonotlite. [online]. Mineral Data Pronunciation Guide. [retrieved on 2003-10-30] Retrieved from the Internet. <URL: http://webmineral.com/data/Xonotlite.shtml >.	
	AU	Mineral description: Xonotlite. [online]. [retrieved on 2003-10-30]. Retrieved from the internet: <URL: http://www.geology.neab.net/minerals/xonotlit.htm >.	

Examiner
SignatureDate
Considered

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.